## IMPRACHMENT.

Trial of President Andrew Johnson for .. ' High Crimes and Misdemeanors.

Secretary Wellss, Frederick W. Seward and Western Editors on the Stand.

mportant Testimony of Secretary Welles in Relation to the Removal of Mr. Stanton.

Another Version of the President's St. Louis Speech.

The Court to Meet at an Earlier Hour in Puture.

SPECIAL TELEGRAM TO THE HERALD.

WASHINGTON, April 17, 1868. The opening of the examination of Cabinet officers during the latter portion of to-day's session of the Impeachment Court, elicited great interest on the part of the large crowd assembled in the galleries. Though the Managers allowed certain preliminaries in the testimony of Secretary Welles, a lively controversy sprung up on the question of admitting the declarations of the President and other conversa-The Managers manifested their usual hostility to anything calculated to throw light upon the real motives of the President. The counsel for the Presiden insisted upon the admissibility of the evidence in view of what they proposed to prove. The question vill come up again to-morrow.

The Butler "harangue," as well characterized by

Mr. Evarts yesterday, has had a very damaging ef fect upon the prosecution, Senators and radicals generally condemning it in no measured terms. The latter are divided on the question of its propriety and those who denounce it do so in the most em-phatic terms. A prominent radical to-day, it is under stood, asked the Chief Justice why he did not call the Manager to order when using words so evidently in-applicable and vulgar. The Chief Justice had nothing say. The Senate, having taken the jurisdiction of the court in their own hands, are alone responsible for the decency of its proceedings.

A rather good story has leaked out, in which the

principal actors were Senator Grimes, of Iowa, and Mr. Grinnell, ex-member of Congress from the same State. It appears that by some unaccountable means the radical guardians of the country who have their being in the State of Iowa became possessed of the idea that Senator Grimes had maniested a disposition, during the impeachment trial, to consider only the evidence brought forth for and against the articles of impeachment, entirely losing sight of the wishes of the republican party; or, to express it as they did in Iowa, "going back on them." nder this impression they took counsel together for the purpose of adopting some method of acquainting Senator Grimes with just what they exed of him when the final vote comes to be taken. A budget of documents was prepared with a view to the correction of Mr. Grimes' supposed divergence from the radical path to the untrammelled control of the country, and the papers were entrusted to the the gentleman that suffered at the hands of Genera Rousseau—to bring to Washington and lay before Senator Grimes. Mr. Grinnell reached here safely yesterday, but was unfortunate enough to lose his carpet bag on the way containing the papers which were to be used in terrifying the honorable Senator into submission. This being the case, Mr. Grinnell had no recourse left but to present himself without his documentary credentials, and state orally what was the purport of the lost itself, and urged the suspected Senator to fail not in casting his vote for conviction; to which Mr. Grinnell, it is said, received the following satisfactors reply:—"You may go to —— (naming a place sup-posed to be in an opposite direction from heaven with your papers. I will cast my vote in this case in reply made by Mr. Grinnell, or whether he made any, to this candid avowal of an honest man, has not

General Geary, Governor of Pennsylvania, is in this city. It is understood he comes here to give the encouragement of his presence to the success of im-

Fernando Wood returned to Washington to-day from New York, having been summoned as a witness on behalf of the President. It is said that the object is to examine him as to a conversation with the Pre-sident on the 22d of February relative to the removal

The Cabinet convened this morning at ten o'clock. all the members being present, and finished up the business before it by noon. The object of meeting at an earlier bour than usual was that the members of the Cabinet might have an opportunity of conferring with the President's counsel, who arrived at the White House and were in consultation with the Pre-

The members of the President's counsel present Mr. Stanbery was not sufficiently recovered from his Miness to attend the interview, which lasted for more than two hours. The matters under discussion, it is said, have a very important bearing upon the defence in the pending impeachment trial.

## PROCEEDINGS OF THE COURT.

Seventeenth Day.

The court was opened in due form and there was a rather larger attendance of the House than usual

this morning. On motion the reading of the journal was dispensed

The CRIEF JUSTICE stated that the first business in order was the order offered by Senator Conness yesterday, that on each day hereafter the Senate, sitting as a Court of Impeachment, shall sit at eleven o'clock
A. M., to which Mr. Sumner had offered the following amendment:-"That considering the public interest would suffer from the delay of this trial, and in pursuance of the order already to proceed with all conin the forenoon until six o'clock in the afternoon, with such brief recess as may be ordered."

The amendment was lost by the following vote:-TRAB—Senators Chandler, Cameron, Cole, Corbett, Harlan, Morrill of Me., Pomeroy, Ramsey, Stewart, Thayer, Tipton and Yates—76.

MAYB—Senators Anthony, Cattell, Conness, Davis, Dixon, Decittle, Drake, Ferry, Fessendee, Powier, Freinghuysen, Grimes, Hendricks, Howard, Howe, Johnson, Morgan, Morrill of Vt., Morton, Patterson of Tenn., Patterson of N. H., Ross, Saniabury, Sherman, Trimbull, Van Winkle, Vickers, Willey, Williams and Wilson—30.

Wiley, Williams and Wilson—30.

The order offered by Mr. Conness was adopted by the following vote:—

Table—Senators Cameron, Cattell, Chandler, Cole, Conkmag, Conness, Corbett, Cragin, Drake, Ferry, Frelinghuysen, Harlaft, Howard, Howe, Morgan, Morrill of Me., Morrill of Ve., Fatterson of N. H., Pomeroy, Rameey, Sherman, Steward, Shemmer, Thayer, Tipton, Willey, Williams, Wilson and Yales—39.

39.

RAYS—Senators Anthony, Dixon, Doolittle, Fowler, Grimes
lendricks, Johnson, Patterson of Tenn., Ross, Saulsbury
rambull, Van Winkle and Vickers—13.

ECLUSION OF MANAGER BUTLER'S TABULAR STATE

nator PERRY offered the following order:-Whereas there appears in the proceedings of the Senate yes-terday, as published in the Globs of this morning, certain tab-lar statements incorporated in the remarks of Mr. Manager Butter upon the question of adjournment, which tabular state-ments were neither spoken in discussion nor offered or res-eived in eridence; therefore Ordered, That the gaid tabular statements be omitted from the proceedings of the trial as published in the proceedings of

and propriety. I wish to know whether it be right for any Senator to defend the Secretary of the Trea-sury against the attacks here made, or whether our mouths are closed while these attacks are made; and if not proper and right for a Senator, whether it is the right of the Managers to make the attack upon

The CHIEF JUSTICE—An amendment can be made to the resolution proposed by the Senator from Con-necticut (Mr. Ferry). If the Senator thinks it proper the Senate can retire for consultation. If no Senator makes that motion the Chair thinks it proper that the honorable Manager should be heard in ex-

planation.

Mr. BUTLER-I wish to say that I did not read them because I thought them voluminous. I had them in my hand, and I made them a part of my arthem in my hand, and I made them a part of my argument. I read the conclusions and inferences to be drawn from them, and thought it was due to myself and the Senate that they should be put exactly as they were, and I therefore incorporated them in the Globe. To the remarks of the honorable Senator (Mr. Hendricks), I simply say that I made no attack upon the Secretary of the Treasury. I said nothing of him. I did not know that he was here at all to be discussed; but I dealt with the acts as the acts of the Executive simply. Whenever called upon I can show the reason why I dealt with those acts.

The CHIEF JUSTICE stated the question.

Senator Anthony—I understood the Senator from Indiana (Mr. Hendricks) to ask if under the rules he could be permitted to make a defence of the Secretary of the Treasury?

The CHIEF JUSTICE—The rules positively prohibit debate.

debate.

Senator Anthony—By unanimous consent it might be made.

be made.
Some Senator objected. The order was then adopted with but few dissenting voices.

TESTIMONY OF WILLIAM W. ARMSTRONG.
Wm. W. Armstrong was sworn and examined by

Wm. W. Armstrong was sworn and examined by Mr. Cueris.
Q. Where do you reside? A. At Cleveland, Ohio. Senator Drake called the attention of the Chief Justice to the impossibility on his side of the chamber of hearing the witness.
Mr. Evarts suggested that there was not so much silence in the chamber as there might be and that they must take witnesses with such natural powers as they possessed.
The CHIEF JUSTICE remarked that conversation was going on at the back of the Senators and that it must be stopped.

going on at the back of the Senators and that it m be stopped.

The examination of the witness was resumed.
Q. What is your occupation or business? A. I one of the enters and proprietors of the Clevels one of the entors and proprietors of the Cervanian Plaindealer.
Q. Were you at Cleveland at the time of the visit made to that city by President Johnson in the summer of 18667 A. I was.
Q. Were you present at the formal reception of the President by any committee or body of men? A. I

President by any committee or body of men? A. I was.

Q. State by whom he was received and where? A. The President and his party arrived about half-past eight o'clock in the evening and were escorted to the Kennard House. After taking his supper the President was escorted to the balcony of the Kennard House, and there he was formally welcomed to the city of Cleveland, in behalf of the municipal authorities and citizens, by the President of the City Council.

Q. Did the President respond to that address of welcome? A. He did.

Q. What was the situation of that balcony in reference to the street—in reference to its exposure? State, also, whether there was not a large crowd of persons present? A. There was a crowd of persons on the balcony.

Q. How did it proceed? A. After the President

persons present? A. There was a very large crowd of persons present. There was a crowd of persons on the balcony.

Q. How did it proceed? A. After the President had begun to respond for a few moments there were no interruptions, and I judged from what the President said that he intended—

Mr. BUTLER—Excuse me—stop a moment. I object to what the witness supposes was the President's intentions.

Mr. Curris (to the witness)—From what you heard and saw was the President in the act of making a continuous address to the assembly or was he interrupted by the crowd? Describe how the affair proceeded. A. The President commenced his speech by saying he did not intend to make a speech. I think, to the best of my recollection, he had come there simply to make the acquaintance of the people and bid them goodby. I think that was the substance of the first paragraph of his speech. Q. How did he proceed? Was it a part of his address, or was it in response to the calls made upon him by the people? Describe. A. I did not hear all the speech.

Q. Did you hear calls made upon him from the crowd and interruptions? A. I did—quite a number of them.

Q. From what you saw and heard the President say, and from all that occurred, was the President say, and from all that occurred, was the President say, and from all that occurred, was the President say, and from all that occurred was the President say. Q. Can you say whether the interruption and calls upon the President were responded to by his remarks? A. Some of them were.

Q. Were the interruptions kept up during the continuance of the address, or was he allowed to proceed without interruption? A. They were kept up very nearly to the conclusion of the President's A. The large majority of the crowd or disorderly? A. The large majority of the crowd or disorderly? A. The large majority of the crowd

very nearly to the conclusion of the President's speech.

Q. What was the character of the crowd—orderly or disorderly? A. The large majority of the crowd was orderly; as to the rest there was a good deal of disorder.

Q. Was that disorder confined to one or two persons or did it affect enough to give character to the interruptions? A. I have no means of ascertaining how many were engaged in the interruptions.

Cross-examination by Mr. Butler:

Q. Was Mr. F. W. Pelton, President of the City Council, present? A. I believe so.

Q. Was not his address on the baleony to the President simply in the hearing of those on the baleony, and did not the President, after he received that welcome, then step forward to address the multitude?

A. I believe that after Mr. Pelton's address several of the distinguished gentlemen who accompanied the party were presented, and then, in response to the calls of the people, the President presented himself, party were presented, and then, in response to the calls of the people, the President presented himself, Q. Would you say that this was a correct or an incorrect report:—"At about ten O'clock, the supper being over, the party retired to the balcony, where the President was formally welcomed by Mr. F. W. Pelton, President of the city Council, as follows," &c. Would that be about the substance? A. That would be about the substance. "Then the President and several members of the party appeared at the front of the balcony and were introduced to the people. Then the vast multitude which filled the streets became most boisterous and sometimes bitter and sarcastic."

Witness—I did not hear any interruptions to the President's speech until after he had proceeded five or ten minutes.

Mr. BUTLER—But whenever they did come would that be a fair representation of them?

Witness—To some extent.

Mr. BUTLER (continuing to read)—"They listened with attention a part of the time, and at other times completely drowned the President's voice with vociferations." Is that so?

Witness—That its so.

MIT. BUTLER (continuing to read)—"They listened with attention a part of the time, and at other times completely drowned the President's voice with vociferations." Is that so?

Witness—That is so.

Mr. Butler (continuing to read)—"After the presentation was made and calls were made for the President to appear, and he spoke as follows"—I will read the first part of that speech:—

Fellow Citizens—It is not for the purpose of making a speech that I now appear before you. I am aware of the great curiosity which prevails to see strangers who have notoriety and distinction in the country, and know a large number of you desire to see General Grant and to hear what he has to say. (A Voice—Three cheers for forant.)

Q. Was not that the first interruption? A. I believe so.

Q. Was there any interruption after that until he

Q. Was not that the first interruption? A. I believe so.
Q. Was there any interruption after that until he spoke of Stephen A. Douglas, and was not that simply the interruption of applaase? A. There were three cheers given, I believe, for Stephen A. Douglas; then he went on without interruption until this phrase came in:—"I come before you as an American citizen simply, and not as the Chief Magistrate, being an inhabitant of a State in this Union. I know it has been said that I was an alien." Then came in laughter.

it has been said that I was an alien." Then came in laughter.

Q. Do you recollect any other interruption until he came to the paragraph:—"There was, two years ago, a ticket before you for the Presidency. I was placed upon that ticket with a distinguished citizen, now no more." (Voices) "ill's a pity!" "Too bad!" "Unfortunate!" A. I did not hear those words.

Q. Do you know whether they were or were not said! A. I do not know.

Mr. BUTLER—I will not trouble you any further.

Barton Able sworn, and examined by Mr. Cur.

Q. Where do you reside? A. In St. Louis.
Q. What is your occupation? A. I am engaged in mercantile business and am Collector of Internal Revenue for the First District of Missouri.
Q. Were you in St. Louis in the summer of 1866, at the time President Johnson visited that city? A. Yes, sir.
Q. Were you on any committee connected with the reception of the President? A. I was on the Committee of Reception—the Merchant's Union Committee.

Q. Where did the reception take place? A. Citiens of St. Louis met the President's party at Alton, il., some twenty-four miles above St. Louis. The dayor, I recollect, received him at the Lindell Hotel, n St. Louis.

ill., some twenty-four mites above St. Louis. The Mayor, I recoilect, received him at the Lindeli Hotel; in St. Louis.

Q. You speak of being on a committee of some mercantile association. What was that association?

A. It was composed of the merchants—the business men of the city.

Q. Not a political association? A. No, sir.

Q. Did the President make a public address or an address to the people of St. Louis while he was there?

A. He made a speech in the evening to the citizens at the Southern Hotel.

Q. Were you present at the hotel before the speech was made? A. Yes, sir.

Q. As one of the committee of which you have spoken? A. Yes, sir.

Q. Please state under what circumstances the President was called upon to speak? A. I was in one of the parlors of the hotel with the committee and the President when some of the citizens came in and asked him to go out and respond to the calls of the citizens. He declined, or rather said he did not care to make any speech. The same thing was repeated two or three times by other citizens who came in, and he finally said that he was in the hands of his friends, the committee; if they said so he would go out and respond to the calls, which he did do.

Q. What did the committee say? A. A portion of the committee—two or three of them—state-, after some consultation, that they presumed that he

might as well to the hotel.

Q. Did the President say anything before he went out, as a whether he wanted to make a long speech or a short speech, or anything to characterize the speech which he proposed to make? A. My understanding was that he did not care to make any speech at all.

Mr. CURTIS—You have already explained that he manifested reluctance. Now, if he said anything as to his purpose in going out I should like to have you

went out.

Q. Did you or not hear what he said, or were you in a position so that you could hear what he said?

A. I heard his conversation with the committee.

Q. I mean after he went out? A. I heard very little

crowd.

Q. Were you present far enough on the balcony to be able to state what the demeanor of the crowd was towards the President? A. I heard from the inside. I was not on the balcony of the hotel at all; but I heard from the parlors one or two interruptions.

Between the parlor and the dining room; I was not on the balcony. Cross-examined by Mr. Butler:—
Q. You met the President at Alton, and you yourself, as one of the committee, made him an address on board the steamer where you received him? A. I introduced him to the Committee of Reception from St. Louis. That was made on board the steamer? A. Yes,

Q. Then Captain Eades, who was the chairman of the committee, made him an address of welcome? A. Yes, sir.

Q. And after that the President made a response?

A. Yes, sir.
Q. And after that the President made a response?
A. Yes, sir.
Q. And in that address he was listened to with particular attention, as became his place as President? A. I observed nothing to the contrary.
Q. Then you went to the Lindell Hotel? A. I did not go to the Lindell Hotel.
Q. Well, tife President went? A. I think the carriage of the President went? A. I think the carriage of the President went to the Lindell Hotel.
Q. And en route to the Lindell Hotel he was escorted by a procession, was he not? A. From the landing—yes.
Q. By a procession of benevolent societies? A. I do not recollect what societies they were; it was a very large turnout, and perhaps most of the societies of the city were represented.
Q. Were you there when he arrived at the Lindell Hotel.
Q. Were you there when he was received by the Mayor? A. No, sir.
Q. You do not know whether the Mayor made him an address of welcome? A. Only from what I saw in the press.
Q. Now do you know what the President respond-

an address of welcome? A. Only from what I saw in the press.

Q. Now do you know what the President responded? A. I was not present.

Q. What time of the day was it when he got to the Lindell Hotel? A. I do not know what time he got to the hotel, for I was not present at his arrival.

Q. Cannot you tell nearly the time? A. It was probably between one and five o'clock.

Q. After that did you go with the President from the Lindell Hotel to the Southern Hotel? A. I do not recollect whether I accompanied them from one hotel to the other or not.

Q. He did go from one to the other? A. Yes.

Q. There was to be a banquet for him and his suite at the Southern Hotel that night? A. Yes.

Q. At which there was intended to be speaking to him and by him? A. There were to be toasts and responses.

him and by him? A. There were to be toasts and responses.
Q. What time was that banquet to come off? A. I do not recollect the exact hour; I think somewhere about nine o'clock.
Q. At the time the President was called upon by the crowd were you waiting for the banquet? A. When the President was called upon by the crowd I do not think the banquet was ready. He was in the parior with the committee and citizens.
Q. The citizens being introduced to him? A. Yes.
Q. Did you hear any portion of his speech on the balcony? A. Only such portions of it as I could catch occasionally from the inside; I did not go on the balcony at all.

cony at all.

Q. Could you see on the balcony from where you were? A. I could see on to the balcony, but I do not know whether I could see precisely where he

ot know wheater results to the stood or not.

Q. While he was making that speech, and when he got to the sentence, "I will neither be builled by my enemies or overawed by my friends," was there anybody on the balcony trying to get him back? A. I can hardly answer that question, as I was not there

o see. Q. You might have seen persons trying to get him Off A. I did not.
Q. Can you tell whether it was so or not? A. I should think that if I could not see it I could not

Mr. Butler.—I only want to make sure on that point.

Witness—I am positive on that point. (Laughter.)
Q. Who were on the balcony besides him? A. I suppose the balcony would hold perhaps two hundred people; there were a great many people there.
Q. Give me the name of some one of the two hundred if you can name anybody who was there. A. I think Mr. Howe was there; my recollection is that the President walked out with Mr. Howe.
Q. Was General Frank Blair there at any time? A. I do not recollect of it if he was.
Q. Did the President afterwards make a speech at the banquet? A. A short one.
Q. Was the crowd a noisy and boistepous one? A. I heard a good deal of noise from the crowd while I was moving about inside.

was moving about inside.

EXAMINATION OF GEORGE KNAPP.
George Knapp sworn, and examined by Mr. Curtis.
Q. Where do you reside? A. In St. Louis.
Q. What is your business? A. I am one of the publishers and proprietors of the St. Louis Republican.
Q. Were you in St. Louis at the time of President Johnson's visit to that city in the summer of 1862?
A. I was.

Q. were you in St. Louis at the time of President Johnson's visit to that city in the summer of 18629 A. I was.
Q. Were you in the room where the President was?
A. I was.
Q. Please state what occurred between the President and citizens or a committee of citizens in reference to his going out to make a speech. A. The crowd on the outside had called repeatedly for the President. I recollect that Captain Able, Captain Taylor and myself were together. The crowd con-

President. I recollect that Captain Able, Captain Taylor and myself were together. The crowd continued to call, and some one suggested, I think it was I, that the President ought to go out; some further conversation occurred, I think, between him and Captain Able.

Q. You mean the gentleman who has just left the stand? A. Yes sir; I think I said to the President that he ought to go out and show himself to the people and say a few words, at any rate; he seemed reluctant to go out; we walked out together on the balcony and he addressed the assembled multitude.

Q. What was the character of the crowd? Was there a large number of people? A. don't think I got far enough on the balcony to look upon the magnitude of the crowd; I think I stayed back some distance.

Q. About what number of people were in the bal-cony itself? A. I suppose there were probably from fifteen to twenty; there may have been twenty-five. Q. Could you hear from the crowd? A. I could. Q. What was the character of the proceedings so far as the crowd was concerned? A. I do not recol-lect distinctly; my impressions are that occasional or repeated questions were apparently put to the President; I do not recollect exactly what they were.

or repeated questions were apparently put to the President; 1 do not recoilect exactly what they were.

Q. Was the crowd orderly or otherwise, so far as you could see. A. At times they seemed to be somewhat disorderly; but of that I am not very certain. Cross-examined by Mr. BUTLER:—

Q. Did you go out on the balcony at all? A. Yes, I stepped out; it is a wide balcony, perhaps twelve or fiteen feet; it covers the whole of the sidewalk; I stepped out; I think I was probably one, two or three feet back of the President part of the time while he was speaking; there were a number of doors and windows leading out to the balcony, and you could stand in a window or door and hear every word he said.

Q. Did you listen to this speech so that you could hear every word he said? A. I listened pretty attentively to the speech while I stayed there; but whether I stayed there during the whole of the time I do not now recoilect.

Q. You have told us there were fifteen to twenty persons on the balcony? A. That is my impression; I am not certain about that.

Q. How many persons would the balcony hold?

A. I suppose the balcony would hold a bundred people.

Q. Then it was not at all crowded on the bal-

Q. How many persons would the balcony hold?
A. I suppose the balcony would hold a bundred people.
Q. Then it was not at all crowded on the balcony? A. I do not recollect whether it was or not; I did not charge my mind, nor do I now recollect; the pariors were full, and I think it very likely that a large number of the people crowded on the balcony was crowded or not I do not recollect.
Q. Were you present at the time so as to remember distinctly when he said "I will neither be builled by my enemies nor overawed by my friends?" A. I do not recollect that phrase.
Q. Did the confusion in the crowd sometimes prevent him going on, or did it not? A. I think it likely that it did; but I am only speaking from my present impression, as I do not recollect.
Q. Did you hear him say anything about stending to John Buil after a while? A. I have no recollection of the points of his speech.
Q. So far as you know and all that you know which would be of advantage to us to hear, is that you were present when some citizens asked the President to go out and answer the call of the crowd? A. I cannot say that; some citizens, those present in the parior, asked him.
Q. While the banquet was waiting? A. Yes, sir.
Q. What time was the banquet to take piace? A. I think at eight o'clock.
Q. Was it near eight o'clock at that time? A. I

Q. What time had this got to be? A. I do not recollect.
Q. Was it near eight o'clock at that time? A. I think when the President went out it was near time for the banquet to take place; I think also, I know in fact, that while the President was speaking several persons stated that it was near time for the banquet to commence, or something of that sort.
Q. Then the banquet had to wait while the crowd outside was spoken to? A. I do not know; I think that probably the hour had passed; but it often happens that banquets do not take place exactly at the hour fixed.

Mr. Butler—It appears that this did not. Was that because it waited for the President or because the banunet was not ready? A. I think it was because it waited for the President.
Q. Did you publish that speech next morning in your paper? A. Yes, air, it was published.
Q. Did you again republish it on Monday morning? A. Yes.
Q. While your paper is called the Republican it is really a democratic paper, and the Democratic the republican paper? A. The Republican was com-

menced in early times, for I have been connected with it over forty years myself, and at the time—Mr. Butlers (interrupting)—Excuse me. I don't want to go back forty years. (Laughter.) Was it in fact a democratic newspaper at the time the President was there? A. Yes.
Q. And the St. Louis Democrat (so called) was really the republican paper? A. Yes.
Q. In the democratic paper, called the Republican, the speech was published on Sunday and Monday? A. Yes.
Q. Was it ever published since? A. No, sir; not to my knowledge.

A. Yes.

Q. Was it ever published since? A. No, sir; not omy knowledge.

Q. State why you caused an edition of the speech to be corrected for Monday morning's publication?

A. I met our principal reporter—

Mr. BUTLER (interrupting)—Please not state what took place between your reporter and yourself. I want the facts, not the conversation.

Witness—I gave directions to Mr. Zider, on reading the speech, to have it corrected.

Q. Were your directions followed, so far as you know? A. I do not recollect as to the extent of the corrections. I never read the speech carefully.

Q. Did you ever complain afterwards to any man that the speech, as puplished in the Monday morning's Republican, was not as it ought to have been?

A. I cannot draw the distinction between Monday's and Sunday's spaers. I have repeatedly spoken of the imperfect manner in which I conceived the speech was reported and published in the Republican on Sunday; whether I spoke of it in reference to Monday or not, I do not recollect.

Q. You say that you directed a revised publication on Monday, and that it was published. Now did you ever complain to anybody within the next three months after that revised publication was made that that publication was not a true one? A. It is possible that I may have complained on Monday morning if the corrections were not made, but I do not recollect it.

Q. Is it possible you did not? A. That, I say, I cannot recollect.

cannot recollect.
Q. Now, will you say that in any important particular the speech as published in your paper differed from the speech as put in evidence here? A. I cannot point out a solitary difference, because I have not read the speech as put in evidence here, nor have I read the speech since the morning after it was delivered.

Mr. BUTLER—I will not trouble you any further.

was delivered.

Mr. BUTLER—I will not trouble you any further.

EXAMINATION OF HENRY F. ZIDER.

Henry F. Zider sworn and examined.

Before the examination commenced, the witness intimated to Mr. Curtis that he was somewhat deaf.

Mr. Curtis—Where did you reside in the summer of 1856, when the President visited St. Louis? A. In St. Louis, Mo.

Q. What was then your business? A. I was then engaged as a short hand writer for the Missouri Republican, a paper published in St. Louis.

Q. Had you anything to do with making a report of the speech which the President delivered from the balcony of the Southern Hotel? A. I made a short hand report of the speech, and was authorized to employ what assistance I needed; I employed Mr. Walbridge to assist me; Mr. Walbridge wrote out the speech for the Sunday morning Republican; I went over the speech for the Monday morning's Republican; I made the corrections from my own notes.

Q. Did you make any corrections except those which you found were required by your own notes? A. There were three or four corrections which I did not then make, but I marked them on the proof sheet in the counting room.

Q. With these exceptions did you make any corrections except what were called for by your own notes? A. Those were called for by my own notes, but they were not, in fact, made.

Q. Were the other corrections called for by your notes? A. Oh, yes, all of them.

Q. Have you compared the report which you made and which was published in the Republican of Monday with the report published in the St. Louis Democrat? A. I more particularly compared the report published in the St. Louis Democrat? A. I more particularly compared the report published in the St. Louis Democrat? A. I more particularly compared the report published in the St. Louis Democrat? A. Oh yes, all of them.

Q. You compared these two? A. Yes; there are

ablished in the Honory Lepublican. Q. You compared these two? A. Yes; there are bout sixty changes. about sixty changes.
Q. Differences? A. Yes, sir.
Q. Describe the character of these differences.
Mr. Betler I object to his describing the character. Let him state the differences.
Mr. CURTIS—Do you want him to repeat the sixty

Mr. BUTLER—Certainly, if he can. Mr. Curtis—Witness, have you a n hese differences?
Witness—I have.
Mr. Butler—Before he reads I should like to know

then it was made.

Mr. Curtis (to the witness)—When did you make

when it was made.

Mr. Curtis (to the witness)—When did you make this comparison?

Witness—Last Saturday, the lith of April.

Q. When did you make the memorandum? A. I made the memorandum on the Sunday following.

Mr. Butler—Last Sunday? A. Yes, sir.

Mr. Curtis—For whom did you make the memorandum? A. I was brought here by the Managers and discharged after being here twenty-four days; I had just returned to St. Louis, when I got a telegraphic despatch that I was summoned again to appear before the Senate; I then went to the Republican office and took the bound files of the Pemocrat, and, in company with Mr. Joseph Monaghan, one of the assistant editors, made a comparison of the papers and noted the differences, and compared the differences twice afterwards to see that they were correct; that was on Saturday last; I started for Washington on Sunday afternoon at three o'clock; this paper contains these differences.

Q. When was it made? A. Last Saturday.

Q. Was it made at the same time when you made this comparison or at different time? A. It was made at the same time.

Mr. Curtis—Now, if the honorable Manager wishes to have all these differences, you can read them.

Mr. BUTLER—Then all of them, more or less, Mr. Curtis—We should prefer, in order to save time of the save time of the save time of the save time of the save time of them, more or less, Mr. Curtis—We should prefer, in order to save

Mr. Curris-We should prefer, in order to save wit. Curies—we should like sinesences, but if you desire to have all read you can have them read.

Mr. BUTLER—There is a question back of this—that is, we have not the standard of comparison. This witness goes to the Republican office and there takes a paper, but we cannot tell whether it was the true paper or not, or what edition it was, and he compares it with a copy of the Democrat, and, having made that comparison, he now proposes to put in the result of it. I do not see how that can be evidence. He may state anything which he has any recollection of; but to make the memorandum evidence and to read the memorandum is something I never heard of. Let me restate it. This witness goes to the Republican office to get the Republican. What Republican? How genuiney What edition it was, except that it was in a bound volume, is not identified. He takes the Democrat, of what edition we do not know, and he compares the two. He then comes here and attempts to put in the results of a comparison made in which Monaghan held one end of the matter and he held the other. Now, can that be evidence?

Mr. CURTIS—I want to ask the witness a question, and then I will make an observation. (To the witness)—Who made the report that was in the Republican which you examined and compared with the report in the Democrat?

Witness—Mr. Walbridge, on Saturday, September 8, 1866. It was published in the Sunday morning Republican, September 9.

Q. Have you looked at the proceedings in this case to see whether that report has been put in evidence? A. The Sunday Republican mentions Mr. Walbridge's testimony, in which he states that he made one or two simple corrections for the Monday morning Democrat.

Q. Now, I wish to inquire whether the report which

testimony, in which he states that he made one or two simple corrections for the Monday morning Democrat.

Q. Now I wish to inquire whether the report which you saw in the files of the Republican, and which you compared with file report in the Democrat, was the report which Mr. Waibr idge made? A. Undoubtedly it was.

Mr. CUKTIS—It is suggested by the learned Manager, Mr. Chief Justice—

Mr. BUTLER (interrupting)—I will save you all trouble. Put it in as much as you choose; I don't care if you leave it unread.

Mr CURTIS—We simply wish to have it put in the case to save time and to have it printed.

Mr. BUTLER—There cannot be anything printed that is not read.

Mr. CURTIS—We understood you wished to dispense with the reading.

The CHIEF JUSTICE—Let it be read if the Manager desires it.

Mr. BUTLER—I do not desire it.

Mr. EVARTS—Is it to go in evidence, Mr. Chief Justice, or is it not?

The CHIEF JUSTICE—Certainly, it is.

Mr. BUTLER—It may go in for all I care, sir.

Cross-examined by Mr. BUTLER.

Q. How long have you been troubled with your unfortunate affliction?

Witness—To what do you refer?

Q. I understand you are a little deaf. Is that so?

A. I have been sick a great part of this year, and was compelled to come here a month ago, almost before I was able to come, and I have not got well yet.

Q. Did you hear my question? How long have you been deaf, if you are deaf at all? A. I have been deaf for the last two years.

Q. About what time did it commence? A. I do not recoilect.

Q. You know when you became deaf, do you sot? recollect.
Q. You know when you became deaf, do you not?
A. I know I was not deaf when you made your St.
Louis speech in fis6s.
Q. That is a very good date to refer to, but suppose you try it by the almanac?
A. That was in October,

you try it by the almanac? A. That was in October, 1866.

Q. How soon did you become deaf after that? A. Probably about a month. (Laughter.)

Q. You are quite sure you were not deaf at that time? A. I am quite certain, because I know I heard some remarks which the crowd made, and which you did not hear. (Laughter.)

Q. I have no doubt you heard much better than I did, but suppose we confine curseives to this matter. You say that about a month after that you became deaf? A. Partially; I recovered from that again and took sick again.

Q. Have you your notes of the President's speech? A. No. sir.

Q. When did you see them last? A. The last recollection I have of them was when Mr. Walbridge was summoned to give his testimony before the Reconstruction Committee on the New Orleans riots.

Q. Did you or he then go over that speech together? A. We went over only a part of it.

Q. The part that referred to New Orleans? A. Tes.

Q. was there any material difference between you and him when you had your notes there together in that part of the speech? If so, state what. A. There was.

Q. What was it? A. He asked me to compare notes

In him—

It. BUTLER—Excuse me; I am not asking what he
d; I am asking what deference there was between
at report and his report on that comparison, and
alf the material difference was

Mr. Evarrs—I submit, Mr. Chief Justice, that as e Manager has asked a precise question, "what the inference was on that comparison," the witness hould be permitted to state what it was and how it

should be permitted to state what it was and how it arose.

Mr. Butt.en—I have not asked any difference that arose between the witness and Mr. Waibridge. Far the it from me to go into that. I have asked what difference there was between the reports of the speech.

Mr. Curris—As it appeared from that comparison.

Mr. Butt.en—As it popeared from that comparison.

Mr. Butt.en—As it found at that time.

Witness—I was going on to answer, and if the genteman will have patience a few moments I will answer.

The Chief Justice—The witness will confine himself entirely to what is asked and make no remarks.

Witness—We proceeded to compare the speech relating to the New Orleans riots. Mr. Waibridge read over his notes and I looked over mine. When he came to this passage, "When you read the speeches that were made, or picked up the facts, you will find the speeches were made," I called Mr. Waibridge's attention to those words qualifying the sentence, "If the facts are as stated," he replied to me, "Oh, you are mistaken. I know I am right," and he went on. As he was summoned to answer to his own notes, and not to mine, I did not argue the question further, but let him go on.

Q. What other difference was there?

Mr. Butt.en—Yes.

Witness—The President referred to the convention

Witness—In the New Orleans matter?
Mr. BUTLER—Yes.
Witness—The President referred to the convention which had been called in New Orleans, and which was extinct by reason of its power having expired. The words "by reason of its power having expired" were in my report and were not in Mr. Walbridge's.
Q. Was there any other differences? A. No other, Mr. Walbridge proceeded with his report of the matter with reference to the New Orleans riots. The latter part of the report was not compared at all, nor was the first part. was the first part.

Q. Have you the report as it appeared in the Republican of the Monday before you? A. I have.

Q. Let me read a few sentences, and tell me how many errors there are in this that was put in evidence here.

dence here:—

Fellow Citizens of St. Louis—In being introduced to you to-night, it is not for the purpose of making a speech. It is true I am proud to meet so many of my fellow citizens here on this occasion, and under the favorable circumstances that I do. (Cry.—How about British subjects !!) We will attend to John Bull after awhile, so far as that is concerned, Laughter and cheers. I have just stated that I was not here for the purpose of making a speech.

Witness, interrupting—The President said, "I am not here."

Witness, interrupting—The President said, "I am not here."

Mr. BUTLER—Then the difference is between the word "was" and the word "am". Do you know that the President used the word "am" instead of "was?" A. Of course I do.

Mr. BUTLER (continuing to read):—

But after being introduced simply to tender my cordial thanks for the welcome you have given me in your midst—(A voice, "Fen thousand welcomes," hurrahs and cheers)—Thank yon, sir; I wish it was in my power to address you under favorable circumstances upon some of the questions that agitate and distract the public mind at this time.

Witness interrupting—The word was "which agitate," &c.

Mr. BUTLER (continuing to read):—
Questions that have grown out of the flery ordeal we have just passed through, and which I think as important as those we have just passed by. The time has come when it seems to me that all ought to be prepared for peace. The rebellion being suppressed and the shedding of blood being stopped, the eacrifice of life being suspended and stayed, it seems to me that the time has arrived when we should have peace, when the bleeding arteries should be tied up. (A voice—"New Orleans," "ioo on.")

Mr. BUTLER—So far all is right except the two cor-

Mr. BUTLER—So far all is right except the two cor-rections you have made? A. Yes, sir. I wish to make a correction at the New Orleans part. Mr. BUTLER—Why should you wish anything about it.

make a correction at the New Orleans part.

Mr. BUTLER.—Why should you wish anything about it.

Witness—You were proceeding to make a correction, and when you came to that New Orleans part you stopped.

Mr. BUTLER.—I will take this portion of the speech:—'Judass—Judas Iscariot—Judas; there was a Judas once')—

Witness (interrupting)—There is one Judas too much there. (Laughter.)

Mr. BUTLER.—You are sure, then, he did not speak "Judas" four times? A. Yes, sir.

Q. How many times did he speak "Judas?" A. Three tims.

Q. In the report that is in evidence those words are italicized, are they not, and stretched out? Two of the "Judases" are spelt with the last syllable "aas." Do you mean to say that the President spoke that part with emphasis? A. I mean to say that he did not speak them in that way.

Mr. BUTLER, continuing to read:—

There was a Judas once—one of the Twelve Apostles. Oh, yea; and these twelve Apostles had a Christ. (A Volce—And a Moses, too.") (Great laughter.) The twelve Apostles had a Christ, and be could not have had a Judas unless he had had twelve Apostles.

Mr. BUTLER.—So far it is right?

Witness—Yes—not stretched out.

Mr. BUTLER—So far it is right?

Witness—Yes—not stretched out.

Mr. BUTLER—Se, sir; stretched out.

Witness—Yes—not stretched out.
Mr. BUTLER—Yes, sir; stretched out.
Witness—Is there any other question you would like to ask me? (Laughter.)
Mr. BUTLER—Now, sir, will you attend to your business and say what differences there are? (Continuing to read):—

tinding to read):—
The twelve aposites had a Christ, and He could not he a Judas unless he had twelve aposites. If I have played Judas, who has been my Christ that I have played the Juwkh? Was it Thad Stevens? Was it Wendell Phillips? It Charles Summer? (Hisses and cheers.) Are those men that set up and compare themselves with the Savioumen?

men that set up and compare themselves with the Saviour of men?

Witness—The word "that" should be "who."

Mr. BUTLER—Is that a fair Specimen of the sixty corrections you have made?

Witness—There are four in the next three lines.

Mr. BUTLER—Answer the question. Is that a fair specimen of the sixty corrections?

Mr. EVARTS—Mr. Chief Justice, I suppose the corrections, the whole of which are put in evidence, will show all this.

Mr. BUTLER—I am cross-examining the witness, and I prefer that the witness shall not be instructed.

Mr. EVARTS—It is not instructing the witness. We thought it would save time by putting in the memorandum. Whether this is a fair specimen or not as compared with the whole paper will appear from a comparison by the court.

M. BUTLER—I am testing the witness' credibility, and I do not care to have him instructed.

The COURT ACTION OF THE COURT OF THE COU

Mr. EVARTS—It is not a question of Craimbility; it is a matter of judgment between the two poers whether one correction is a fair specimen of ail.

Mr. BUTLER (to the witness)—I ask whether the corrections you have made in answer to my questions are of the same average character as the other sixty corrections?

Mr. EVARTS—We object to the question. It requires a re-examination of the whole subject.

Mr. BUTLER—Well, I will pass from that rather than take up the time. Mr. witness, you told us that in the next three lines there were corrections. I will read the next four lines:—

In the days when there some twelve Apostles and when there some a Christ, while there were Judgment there were unbelievers too; yes, while there were Judgment there were unbelievers too; yes, while there were Judgment there were unbelievers too; yes, while there were Judgment there were unbelievers too; yes, while there were Judgment there were unbelievers too; yes, while there were Judgment there were unbelievers in Christ.

Witness—The word "were" is spelled four times "ware," and the first time it should be "was,"

Mr. BUBLER—Then your corrections are all on questions of pronunciation and grammar?

Witness—The President did not use the words you say. The President did not use the word subed in that paper.

Q. Did he not speak broadly the word "were"

ion. I say he did not use the word as used in that puper.

Q. Did he not speak broadly the word "were" when he used it? A. Not so that it could not be distinguished from "were."

Q. Then it was a question of how you spell and pronounce that you corrected? A. The tone of voice could not be represented in print.

Q. And you think that "were" better represents his tone of voice? A. Yes, sir; although it cannot be represented in print—yes.

Q. Now, sir, with the exception of corrections in pronunciation and in grammar is there any correction of the report as printed in the Democrat on Monday on comparison with the report of the Republican?

day on comparison with the report of the Republican?

Witness—Of what day?

Mr. Butler.—The Republican of Sunday or Monday.

I repeat, with the exception of corrections of grammar and pronunciation, is there any other correction in substance between the reports as printed that morning between the Monday Republican and the Monday Democrat? A. Yes, sir.

Q. What are they? A. One is, "Let the government be restored; I have labored for fit; I am for k now." The words "I am for it now" are omitted in the Democrat, and there is a change in the punctuation in the commencement of the next sentence.

Q. What else is there? A. Speaking of the Neutrality law he says:—"I am sworn to support the constitution and to execute the law." Some one hallooed out:—"Then, why did you not do it?" He answered:—"The law was executed." These words, "Why did you not do it?" and "The law was executed" are omitted in the Demograt.

Q. What else, in substance, is omitted? A. I do not know that I can point out any other without the memorandum.

Q. Use the memorandum and point out any differ.

not know that I can point out any other without the memorandum.

Q. Use the memorandum and point out any difference in substance—not grammar, not punctuation, not pronunciation.

Witness, after examining the memorandum, stated that in one sentence the word "sacrificed" was used in the Democrat report, the proper word being "battled."

Mr. BUTLER (to the witness)—Well, I will not trouble you further.

ble you further.

WITNESS—I will point out more.

Mr. BUTLER—That is all, sir.

WITNESS—I will point out more.

Mr. BUTLER—That is all, sir.

DOCUMENTARY EVIDENCE.

Mr. CURTIS—We offer in evidence this document. It is the commission issued by President Adams to General Washington, constituting him Lieutenant General of the Army of the United States. The purpose is to show the form in which commissions were issued at that day to high military officers. It is the most conspicuous instance in our history as regards the practice.

Mr. BUTLER—There were two appointments made to General Washington. Was this the one accepted by him or the one rejected?

Mr. EVARTS—We understand it is the one actually issued to him.

Mr. BUTLER—And accepted?

Mr. EVARTS—We understand so,

Mr. BUTLER—We have no objection.

The paper was read.

Mr. CURTIS—We next offer a document from the Department of the Interior showing removals of Superintendents of Indian Affairs, of Indian Agenta, land officers, receivers of public moneys, Surveyor Generals and certain miscellaneous officers. It shows the date of the removal and the name of the officer, the office he held, and it also contains memoranda showing whether removed during the recess or during the station of the Senate.

Mr. BUTLER—Mr. President, I have one objection to this opecies of evidence without anybody brought here to feetlify be it, and that in the:—I have lineared

that in the case of the Treasury Department, which is have allowed to go in without objection, there are other cases not reported where the power was resulted to be exercised, and I do not know whether it is so in the Interior Department or not. But most of those examined by us are simply under the law fixing their tenure during the pleasure of the President for the time being, and some of them are inferior officers originally made by the Was Department; but if the counsel for the President think they have any bearing we have no objection.

Mr. Curris said he had not had an opportunity to examine them minutely, but he understood a large number of them held office under a fixed tenure. It might be a matter of argument hereafter.

Mr. Butler.—What class of officers do you speak off

Mr. CURTIS-Receivers of public moneys is one Senator Johnson-What is the first date of re-

Senator Johnson—What is the first once of a moval?

Mr. Curris—I think they extend through the whole period of existence of that department. I do not mean the date when the department was established, but I think they run through the whole of it.

EXAMINATION OF FERDERICK W. SEWARD.

Frederick W. Seward, sworn on behalf of respondent and examined by Mr. Curris.

Mr. Seward, will you please to state the office you hold under the government? A. Assistant Secretary of State.

of State.
Q. How long have you held that office? A. Sinc.
March, 1861. Q. How long have you held that office? A. Since March, 1861.
Q. In whose charge in that department is the subject of consular and vice-consular appointments?
A. Under my charge.
Q. Please to state the practice of making appointments of vice-consuls in the case of death, resignation, incapacity or absence of consuls? A. Usually consuls—

Mr. BUTLER—Is not that regulated by law?
Mr. CURTIS—That is a matter of argumen

onsuls—

Mr. Butler—Is not that regulated by law?

Mr. Curis—That is a matter of argument. We think it is,

Mr. Butler—So do we.

Mr. Curis—I want to show the practice under the law, just as we have done in the other cases. I have the document here, but it requires some explanation to make it intelligible. (To the witness)—When a vacancy has not been foreseen the consul nominates a vice consul, who enters upon the discharge of his duties at once at the time at which the nomination is sent to the Department of State. The department approve or disapprove of the nomination in case the vacancy has not been foreseen, and if the consul is dead, or sick, or unable to discharge the duties, then the minister of the country may make a nomination to the Department of State, or, if no minister, the naval commander not unfrequently makes a nomination and sends it to the Department of State, and the vice consul so designated acts until the department approve or disapprove. In other cases the department has often designated a vice consul without any previous nomination from either cousul, minister or naval commander, and he enters upon the discharge of his duties in the same manner, how is he authorized or commissioned? A. He receives the certificate of his appointment signed by the Secretary of State.

Q. Running for a definite time, or how? A. Running subject to the restrictions provided by law.

Q. Is this appointment of vice consul made temporarily to fill a vacancy, or how otherwise? A. It is made to fill the office during the period which elapses between the time it takes for the information to reach the department and a successor to be appointed.

Q. That is, for a succeeding consul to be appointed?

A. Yes, sir.
Q. Sometimes weeks or months may elapse before a newly appointed successor can reach the place. It is then an ad interim appointment to fill the vacancy. . Yes, sir. Mr. Butler—Is there anything said in their som-

A. Yes, sir.

Mr. BUTLER—Is there anything said in their sommissions about their being act interim or in the letter of appointment? A. The letter of appointment says, "subject to the conditions made by law."

Q. Is that the only limitation there is? A. Yes, sir.
Q. Are not the appointments made under the fifteenth section of the act of August II, 1856—August IS, 1811 it? A. I think you are right, sir; August IS, 1814 it? A. I think you are right, sir; August IS, 1815 it it? A. I think the act of 1856 does not create the office or give the power of appointment, but it recognizes the office as being already in existence and the power as already in the President.

Mr. BUTLER—We will see that in a moment, sir. Mr. Butler then read from 11 Statutes at Large, sections 14 and 15. He then continued:—Now, sir, have they ever in the State Department undertaken to make a vice consul against the provisions of this act? A. I am not aware that they ever have.

Q. Nor ever attempted to do it? A. No, sir, not that I am aware of.

Mr. CCRTIS—I now offer from the Department of State this document, which contains a list of the consular officers appointed during the session of the Senate when vacancies existed at the time such appointments were made. The earliest instance was in 1837 and they come down to about 1862. If I remember right—

Mr. BOUTWELL—I wish to call the attention of the

ber right—
Mr. BOUTWELL—I wish to call the attention of the counsel for the respondent to the fact that it does not appear from these papers that these vacancies hapened during the recess of the Senate. It merely states that they were filled during the session of the Senate.

Senate.

Mr. CURTIS—It does not appear when the vacancies happened. The purpose is to show that these temporary appointments were made to fill vacancies during the session of the Senate.

Mr. BOUTWELL—I give notice that we propose to consider these as cases happening during the recess of the Senate.

Mr. EVARTS—And filled during the session.

Mr. BOUTWELL—We do not know anything about that that,
Mr. EVARTS—The certificate is to that effect—filled

MI. EVARTS—The certificate is to that effect—filled during the session of the Senate.

Mr. Boutwell.—We do not object to the paper. I only gave notice how we propose to consider it.

EXAMINATION OF SECRETARY WELLES.

Gideon Welles sworn on behalf of respondent and examined by Mr. EVARTS:—

Mr. Welles, you are now Secretary of the Navy?

A. Yes, sir.

Mr. Welles, you are now Secretary of the Navy?
A. Yes, sir.
Q. At what time and from whom did you receive
that appointment? A. I was appointed in March,
1861, by President Lincoln.
Q. And have you held that office continually until
now? A. From that date.
Q. Do you remember, on the 21st of February last,
your attention being drawn to some movements of

your attention being drawn to some movements of theore or military ordicers? A. On the evening of the rist of February my steption was called to some movements that were made the.

Q. How was that brought to your attention? A. My soa brought them to my attention. He had been attending a party and an order came to the party requiring all officers under the command of General Emory to repair forthwith to headquarters.

Q. Did you in consequence of that seek or have an interview with the President of the United States?

A. I requested my son to go over that evening or the following day.

Mr. BUTLER—Stop a moment.

Mr. EVARTS—You attempted to send a message at that time? A. I did. On Saturday, the 22d, I went myself about noon to see the President on this subject: I told him what I had heard and asked him what it meant.

Mr. BUTLER—We object to that conversation, and before we go to the objection I would like to ask the witness to fix the time a little more carefully.

Witness—About twelve o'clock on the 22d of February.

Q. How close to twelve o'clock—before or afters.

Witness—About twelve o'clock on the 22d of Penruary.

Q. How close to twelve o'clock—before or after?
A. I should hink it was a little before twelve o'clock; I will state a little circumstance or two; the Attorney General was there when I went in, and while I was there the nomination of Mr. Ewing was made as Secretary of War, and was delivered to the private secretary to be carried to the Senate.

Mr. BUTLER—Stop a moment.

Mr. EVARTS—It is not time for cross-examination now.

Mr. BUTLER—It is in order to ascertain whether it

Mr. BUTLER—It is in order to ascertain whether is is admissible.

Mr. Evars—It is quite immaterial.

Mr. Evars—What passed between you and the president after you had made that statement to him with reference to that communication?

Mr. Butler asked to have the question put in writing, which was done.

Mr. Evars—I will state that this evidence is offered in reference to the article that relates to the conversation between the President and General Emory.

Mr. Butler—That is precisely as we understand, it; but we also understand the fact to be that General Emory was sent for before Mr. Welles appeared on the scene. I am instructed by my associates to say that we are endeavoring to get the matter settled that General Emory received a note to come to the President at ten o'clock in the morning; that he got there before the Secretary of the Navy. That we cannot at this moment ascertain, but it does not appear that this conversation was before General Emory was sent for.

Mr. Evars—That is a matter of proof which is to be considered when it is all in as to which is right on our side and which on theirs.

Mr. Evars—The proof of what was said in the conversation is not to be considered as proof of which was right on the facts, for I suppose my learned opponent would not claim that if this was after General Emory came there, they could put in the evidence.

The Chief Jestice Considered the evidence com-

opponent would not claim that if this was after General Emory came there, they could put in the evidence.

The CHIEF JUSTICE considered the evidence competent, and no Senator raising a question it was admitted.

The question was again read.

Witness—I cannot repeat the words; I should think the words of the President were, "I don't know what Emory means," or "I don't know what Emory is about;" I remarked that I thought he ought to know; that when he was sending for his officers at such a time it must be for some reason; he hesitated somewhat; we had a little conversation; I think he said he would send and inquire into it; I think he said he would send for him; either that or that he would send for him.

Mr. Evars—I will call your attention to the 21st of February, at the close of the Cabinet meeting on that day. At what hour was the Cabinet meeting held on that day?

Witness—At twelve o'clock, the regular hour.

Q. That is the usual hour, and that is the usual day of the Cabinet meeting? A. Yes, sir.

Q. Did you at that time have any interview with the President of the United States at which the subject of Mr. Stanton's removal was mentioned? Answer yes or no. A. I did.

Q. At about what hour of the day was that? A. About two o'clock.

Q. Had you up to that time heard of the femoval of Mr. Stanton? A. I had not; I was told before I left.

Q. And after the Cabinet meeting was closed thi

CONTINUED ON TENTE PAGE

Q. And after the Cabinet meeting was closed thi